

## REVIEW FOR APPLICABILITY/COMPLIANCE WITH ORDINANCES/POLICIES

### FOR PURPOSES OF CONSIDERATION OF Pepper Drive Tentative Map, TM 5504RPL<sup>2</sup>, Log No. 06-14-033

March 24, 2007

**I. HABITAT LOSS PERMIT ORDINANCE** – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES  
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NO  
☐

NOT APPLICABLE/EXEMPT  
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The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

**II. MSCP/BMO** - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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The proposed project is within Metro-Lakeside-Jamul Segment of the Multiple Species Conservation Program (MSCP). The site has been completely developed for many years and is located a half-mile from any Pre-approved Mitigation Areas. As a Tier IV habitat, no on-site preservation is required and impacts to developed lands do not require mitigation under the Biological Mitigation Ordinance (BMO). The project conforms to the MSCP and the BMO as discussed in the MSCP Findings dated March 26, 2007.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES  
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NO  
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NOT APPLICABLE/EXEMPT  
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The project will obtain its water supply from the Helix Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

**IV. RESOURCE PROTECTION ORDINANCE** - Does the project comply with:

The wetland and wetland buffer regulations (Article IV, Sections 1 & 2) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Floodways and Floodplain Fringe section (Article IV, Section 3) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Steep Slope section (Article IV, Section 5)?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Sensitive Habitat Lands section (Article IV, Section 6) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>

***Wetland and Wetland Buffers:***

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. Staff biologist, Mindy Fogg, completed a site visit on July 25, 2006 and found no wetland features on or near the project site.

***Floodways and Floodplain Fringe:***

The project is not adjacent to a floodway/floodplain fringe area as defined in the Resource Protection Ordinance (RPO), nor are there any proposals for any uses or improvements that are in conflict with the RPO.

***Steep Slopes:***

The average slope for the property is three percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. The project is in conformance with the RPO.

***Sensitive Habitats:***

No sensitive habitat lands were identified on the site as determined on a site visit conducted by Mindy Fogg on July 25, 2006. Therefore, it has been found that the proposed project complies with the Resource Protection Ordinance.

***Significant Prehistoric and Historic Sites:***

Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs, and a site visit by County of San Diego staff archaeologist, Gail Wright on September 20, 2006, it has been determined

that the project site does not contain any archaeological or significant historical resources.

**V. STORMWATER ORDINANCE (WPO)** - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES

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NO

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NOT APPLICABLE

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The project Stormwater Management Plan (Major SWMP) report by JP Engineering, Inc. dated November 21, 2007 was reviewed for this project and appears to be complete and in compliance with the WPO.

**VI. NOISE ORDINANCE** – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES

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NO

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NOT APPLICABLE

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Though the proposal could expose people to potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), the following noise mitigation measures are proposed to reduce the noise impacts to applicable limits:

Based on a Noise Analysis prepared by Urban Crossroads dated February 1, 2007, dedication of a noise protection easement and placement of recommended sound wall will not expose existing or planned noise sensitive areas to road, airport, heliport, railroad, industrial or other noise in excess of the CNEL 60 dB(A). The location of the 60 dBA CNEL contour includes Lot 1 and parts of Lot 2. County staff has conditioned the project to dedicate a Noise Protection Easement over a strip of land 134-feet from centerline. Noise affected outdoor areas require a six-foot high sound barrier on the portion of the project site adjacent to Pepper Drive. The six-foot high sound barrier will start at the northwestern corner of Lot 1, running 140-feet southeast along the Lot 1 property line. Implementation of these mitigation measures will result in reducing outdoor use area noise impacts on Lots 1 & 2 meeting County Noise regulations. Therefore, the project will not expose people to potentially significant noise levels that exceed the allowable limits of the County of San Diego General Plan, Noise Element.